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7 Attorneys for Plaintiffs

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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**

12  
13 **IN RE BEXTRA AND CELEBREX**  
14 **MARKETING, SALES PRACTICES AND**  
15 **PRODUCTS LIABILITY LITIGATION**

16 This document relates to

17 JERI L. GARZA, an individual, and as  
18 administrator of the Estate of GERALD A.  
19 COLBY, LYNN NIEKRASZ, ANN  
20 HARPER, and CAROL COLBY,

21 Plaintiffs,

22 vs.

23 G.D. SEARLE & CO., PHARMACIA  
24 CORPORATION; MONSANTO COMPANY,  
25 a Delaware corporation; PFIZER, INC., a  
26 Delaware corporation; PFIZER GLOBAL  
RESEARCH & DEVELOPMENT,

Defendants.

**CASE NO. C-06-5643-CRB**

**MDL DOCKET NO. 1699**  
**District Judge: Charles R. Breyer**

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE**

27 Come now the Plaintiffs, JERI L. GARZA, LYNN NIEKRASZ, ANN HARPER, and  
28 CAROL COLBY, and Defendants, by and through the undersigned attorneys, pursuant to Federal

1 Rule of Civil Procedure, Rule 41 (a), and hereby stipulate to the dismissal of this action with  
2 **prejudice** with each side bearing its own attorneys' fees and costs.

3 Dated: 10/14, 2009

LOPEZ HODES

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6  
7 By: 

8 Steven J. Skikos

9 Attorneys for Plaintiffs, JERI L. GARZA, LYNN  
NIEKRASZ, ANN HARPER, CAROL COLBY

10 Dated: Oct. 22, 2009

DLA PIPER LLP (US)

11  
12 By: /s/

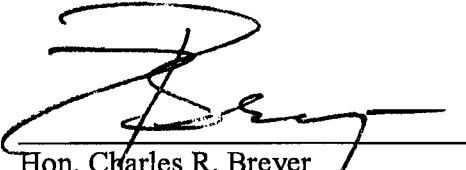
13 Matt Holian

14 Attorneys for Defendants  
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18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS SO**  
19 **ORDERED.**

20 **OCT 28 2009**

21 Dated: \_\_\_\_\_, 2009

22   
Hon. Charles R. Breyer

23 United States District Judge  
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